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9 UNITED STATES DISTRICT COURT
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION

12 AMERICAN FEDERATION OF
13 GOVERNMENT EMPLOYEES, AFL-CIO;
14 AMERICAN FEDERATION OF STATE
15 COUNTY AND MUNICIPAL EMPLOYEES,
AFL-CIO, et al.,

16 Plaintiffs,

17 v.

18 UNITED STATES OFFICE OF PERSONNEL
19 MANAGEMENT, et al.,

20 Defendants.
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Case No. 3:25-cv-01780-WHA

**[PROPOSED] ORDER GRANTING
PUBLIC-SECTOR UNION PLAINTIFFS'
FURTHER PRELIMINARY INJUNCTION**

[PROPOSED] ORDER

On March 24, 2025, this Court confirmed that it “has subject-matter jurisdiction to hear and decide the public-sector union plaintiffs’ claims,” Dkt. 153 at 11, and ordered the parties to show cause “why the relief extended to the organizational plaintiffs (or more, or less) should not be extended to the public-sector union plaintiffs,” Dkt. 154. Having heard argument on April 9, 2025, and upon consideration of all arguments made by counsel for the parties, and the complete record in this matter, and for good cause shown, IT IS HEREBY ORDERED that a further preliminary injunction to the Public Sector Union Plaintiffs is GRANTED.

This Court has subject matter jurisdiction to hear the Public-Sector Union Plaintiff claims, because they have demonstrated Article III standing. The Court finds that these Plaintiffs have demonstrated a likelihood of success on the merits of its claims, a likelihood of irreparable harm in the absence of preliminary injunctive relief, that the balance of equities tips in the Plaintiffs’ favor, and that the public interest favors preliminary injunctive relief. The Court further finds that Defendants have not provided this Court with evidence substantiating any irreparable harm resulting from this injunction, nor have they provided the Court with any evidence demonstrating that agencies lawfully terminated probationary employees for any reason other than following OPM’s unlawful directives.

It is therefore FURTHER ORDERED that relief Defendants Department of Agriculture, Department of Commerce, Department of Defense, Department of Education, Department of Energy, Department of Health and Human Services, Department of Homeland Security, Department of Housing and Urban Development, Department of Interior, Department of Treasury, Department of Transportation, Department of Veterans Affairs, Environmental Protection Agency, General Services Administration, National Science Foundation, and Small Business Administration shall immediately:

1. Advise all probationary employees terminated at any time after January 20, 2025 that the notice and termination has been found unlawful by the United States District Court for the Northern District of California;
2. Cease any further termination of probationary employees at the direction Defendants OPM and Acting Director Ezell;

- 1 3. Offer reinstatement to all probationary employees terminated at any time after January 20,
- 2 2025;
- 3 4. Any terminations of these agencies' employees may only be made by the agencies themselves
- 4 in conformity with the Civil Service Reform Act and the Reduction in Force Act and any
- 5 other Constitutional or statutory requirement.
- 6 5. In seven calendar days, relief Defendants [LIST] shall submit a list of all previously
- 7 terminated probationary employees subject to this injunction, with an explanation as to each
- 8 of what has been done to comply with this Order.

9 This Order does not supersede any reporting or compliance required by any other order of this court.

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12 IT IS SO ORDERED.

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14 Dated: _____, 2025

The Honorable William H. Alsup
United States District Court Judge